

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

The title of the invention has been amended to be indicative of the claimed subject matter and, thereby, overcome the applied objection.

Claims 1-4 have been canceled in favor of new claims 5-8. Claims 5-8 have been drafted to avoid the issues underlying the 37 CFR 1.83(a) objection, the objections applied to claims 1 and 4, the 35 USC 101 rejection applied to claim 4, and the rejections under 35 USC 112, second paragraph, applied to claims 1-4. Support for the subject matter of the new claims is provided for example in Figs 1-6.

With regard to the objections applied to Figs. 2 and 6, the Applicant respectfully submits that the Office Action's discussion of Figs. 2-4 and 6 indicates a misunderstanding of the illustrated subject matter. Fig. 3 illustrates a particular example of the method illustrated by Fig. 2 in which four packets are communicated in a first transmission window TA and three packets are communicated in a second transmission window TB.

As illustrated in Fig. 2, when a first packet P1 is transmitted ST201 and received ST202, the receiver determines ST203 whether packet P1 is a head packet. Since packet P1 is the first packet within transmission window TA, it is a head packet. Thus, the receiver records ST204 the reception time T1 of head packet P1. Thereafter, the receiver determines ST205 whether all packets of transmission window TA have been received. Since transmission window TA has a size of 4, four packets will be received within transmission window TA, yet only one packet has been received so far. Thus, the receiver executes operations ST201 through ST205 until all four

packets P1-P4 of transmission window TA have been received. Upon receiving fourth (i.e., last) packet P4 of transmission window TA, the receiver records ST206 the reception time of last packet P4 and determines ST207 the period Tw of time required to receive all four packets P1-P4 of transmission window TA. If reception period Tw is ST208 less than a threshold value Tth, then the receiver generates ST209 a transmission window size of more packets than the current transmission window size; otherwise, the receiver generates ST210 a transmission window size of fewer packets than the current transmission window size. Thereafter, the new transmission window size is communicated ST211 to the transmitter, the recorded values T1 and T2 are deleted ST212, and the packets P5-P7 corresponding to transmission window TB are communicated ST201-ST212.

Fig. 3 illustrates that reception period Tw was equal to or greater than threshold Tth; thus, transmission window TB following transmission window TA communicates fewer packets (i.e., 3 packets) than transmission window TA (i.e., four packets). Fig. 4 illustrates a situation in which a reception period Tw is less than threshold Tth; thus, a transmission window TD following a transmission window TC communicates more packets (i.e., 5 packets) than transmission window TC (i.e., four packets). Fig. 6 similarly illustrates the method illustrated by Fig. 2, but has an additional threshold value and an additional option for a subsequent transmission window size.

Accordingly, it is submitted that Figs. 2 and 6 are not inconsistent with Figs. 3 and 4, as proposed in the Office Action. Therefore, withdrawal of the objections to Figs. 2 and 6 is deemed to be warranted.

Claims 1-4 were rejected, under 35 USC § 103(a), as being unpatentable over Hadi Salim et al. (US 6,625,118) in view of Tam (US 6,622,172) and Fu et al. (IEEE article). To the extent these rejections may be deemed applicable to new claims 5-8, the Applicant respectfully traverses based on the points set forth below.

According to the Office Action, Fu has a publication date of January 2003, which is two months after the Japanese priority date of November 1, 2002, for the present application. Applicant encloses a verified English translation of Japanese priority document JP 2002-320129 to perfect Applicant's claim to priority. It is submitted that JP 2002-320129, as evidenced by the English translation, support the subject matter of new claims 5-8. Accordingly, Fu is considered to be disqualified as a reference against present claims 5-8.

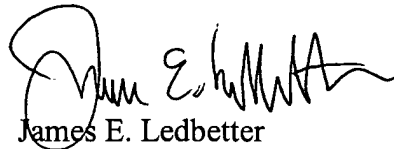
The Office Action acknowledges that Hadi Salim and Tam do not disclose or suggest the subject matter for which Fu was cited (see the Office Action at Section 15). More specifically, Hadi Salim and Tam do not teach or suggest at least the subject matter recited in independent claims 5 and 6 of generating a new transmission window size based on a time difference between receiving a head packet and receiving all packets specified by a transmission window size.

Therefore, for at least the above reasons, allowance of claims 5 and 6 and all claims dependent therefrom is considered to be warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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